

FROM :

PHONE NO. :

Dec. 17 1998 12:08AM P1

WILLIAM ARTHUR TAYLOR  
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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Benjamin Layno	William A. Taylor
COMPANY:	DATE:
USPTO - Art Unit 3711	23NOV2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571 273 8300	14
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571 272 4424	Method of Playing & Paying Gambling Games
RE:	YOUR REFERENCE NUMBER:
Patent Application Priority Date	10/045,250

☐ URGENT    ☒ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Examiner:

Here is correspondence pursuant to our telephone conversation on Monday.

I thought it would be prudent to fax in what is being mailed today as well.

Very respectfully,



Applicant Pro Se

**William A. Taylor  
1326 Aspen Drive  
Evergreen, CO 80439  
(303) 670-2842**

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NOV 22 2005

November 22, 2005

Commissioner for Patents  
Washington, D.C. 20231

Re: Method of Playing & Paying Gambling Games  
Application Control Number 10/045,250  
Examiner: Mr. Benjamin Layno, Art Unit #3711

Dear Examiner:

Per conversation today, Applicant is writing to address the priority of this referenced application, which was earlier than a citation used in rejection.

The first paragraph of this application 10/045,250 states, "This application claims priority of Provisional Patent Application Ser. Nr. 60/246,855 having a filing date of 11/09/2000 and being incorporated herein in its entirety by reference." This filing date is more than 10 months earlier than the filing date of the Chilton et al patent US-2003/0060264, which was Sep. 21, 2001 and used as a basis for rejection. Thus, Applicant has anticipated Chilton and respectfully asks to be afforded the benefit of the priority date, which should obviate the claim rejections under 35 USC ~102 (paragraph 2) and 35 USC ~103 (paragraphs 3 and 4) as written in the most recent Office Action Summary mailed on 09/13/2005.

Applicant also requests the opportunity to address other issues in the latest Office Action as follows.

Office Action paragraph 1. The arguments presented with respect to claims 1-15 apply to the same claims subsequently renumbered properly as claims 16-30.

Office Action paragraphs 5 and 6. One skilled in the art would understand the nature of a losing hand. Figure 1 illustrates a losing hand, which is described therein as a pay of 0 for 1. Further, a pay for a losing hand is discussed in the specification on page 7, line 10, of the provisional application as filed on 11/09/2000.

For additional clarity please accept the attached Amendment B and new drawing referenced as FIG. 9 that illustrates a sample payable including a pay for a losing hand.

Finally, please accept the omitted claims 31-35. These were submitted by letter dated Feb. 7, 2005 along with the new claims 16-30, a copy of which is attached for your convenience.

If necessary, Applicant requests Examiner's help with this application under MPEP Section 707.07(j).

Very respectfully,



William Arthur Taylor, Applicant Pro Se

FROM :

PHONE NO. :

Dec. 17 1998 12:09AM P3

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Serial Number: 10/045,250

Appn. Filed: NOVEMBER 7, 2001

Applicant(s): William Arthur Taylor

Appn. Title: Method of Playing and Paying Gambling Games

Examiner/GAU: Benjamin Layno

Mailed: November 23, 2005

At: Golden, CO

Amendment B

Commissioner for Patents  
Washington, District of Columbia 20231

Sir:

In response to the Office Letter mailed 09/13, 2005, please amend the above application as follows:

SPECIFICATION:

Add to page 8 line 170 the following:

FIG. 9 is a sample payable showing a prize paid  
for a losing hand.

NEW

Sample Bonus Blackjack Paytable

<u>Hand Event / Score</u>	<u>Pays</u>
Beat Dealer / 4-16	3:1
Beat Dealer / 17-18	2:1
Beat Dealer / 19-20	1:1
Beat Dealer / 21	5:1
Lose to Dealer / Any	1:1

**FIG. 9**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,250	11/07/2001	William Arthur Taylor		2319

7590 09/13/2005

WILLIAM ARTHUR TAYLOR  
1326 ASPEN DRIVE  
EVERGREEN, CO 80439

EXAMINER

LAYNO, BENJAMIN

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/045,250	TAYLOR, WILLIAM ARTHUR	
	Examiner	Art Unit	
	Benjamin H. Layno	3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply 12/12/05

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 12 May 2005.

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 16-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 16-30 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_

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**Notice of References Cited**

Application/Control No.

10/045,250

Applicant(s)/Patent Under  
Reexamination  
TAYLOR, WILLIAM ARTHUR

Examiner

Benjamin H. Layno

Art Unit

3711

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,649,705	07-1997	String, Elizabeth	273/292
	B	US-2003/0060264	03-2003	Chilton et al.	463/20
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(e).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office  
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 082505

FROM :

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PHONE NO. : CENTRAL FAX CENTER

Dec. 17 1998 12:11AM P8

NOV 22 2005

**COPY**

William A. Taylor  
1326 Aspen Drive  
Evergreen, CO 80439

February 7, 2005

Commissioner for Patents  
Washington, D.C. 20231

Re: Method of Playing and Paying Gambling Games  
Application Control Number: 10/045,250  
Examiner: Mr. Benjamin Layno, Art Unit #3712

Dear Examiner Layno:

In response to the last office action, a copy of which is attached, Applicant respectfully submits the following new claims #16 - #35, which should now be allowable, and an amendment referencing additional drawings, also supplied herewith. If necessary, Applicant requests Examiner's help writing claims under Section 707.07(j) of the Manual of Patent Examining Procedure, since I am a pro se applicant.

The amended claims are different as follows:

Applicant's claims had omitted essential steps. Now they are clearly distinguished from the prior art including the Miller patent (US PN 6,450,500) and Vancura patent (US PN 5,673,917), and all rejections under 35 U.S.C. 102, 103 and 112 are overcome.

Both Miller and Vancura require a side bet to participate in their blackjack payoffs. Side bets were critical elements of both patents. Their means to provide greater blackjack payoffs was to simply pay for it.

Miller's payouts were further conditioned upon not only a side bet, but then activating said side bet. Vancura's payouts are always conditioned upon a side bet and often upon the number of cards used, as well.

Applicant's invention does not require nor offer a side bet. This invention establishes a new and unanticipated way to participate in a blackjack game offering payoffs depending on point score. Applicant's new claims do not allow paying cash for the right to play the new blackjack game, nor do they claim as to the number of cards used in comprising player point scores. Finally the new claims do not differentiate between soft and hard point totals for payoffs.

Thus Applicant's game as claimed is significantly different from Miller, Vancura or both combined even if theirs is played electronically.



FROM :

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Dec. 17 1998 12:11AM P9

Additionally, the new claims point directly to material in the specification so that one skilled in the art can clearly make and/or use the invention.

Please accept the revised claims, amendment A and drawings attached.

Note I am also filing Form PTO/SB/61 due to unavoidable delay, since I did not receive the last office action by mail or email. (Examiner faxed to Applicant on 1/19/05.) In any case please consider this authorization to contact Applicant by email concerning this application at wtaylor@vistagaming.com, which should replace any previous email address supplied.

Very respectfully,



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Applicant Pro Se

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